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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Convergenza AG

Application No./Patent No.: 08/938,173 Filed/Issue Date: 09/26/1997

Entitled: Method and Device for Removing Gas from Gas Containing Blood

Convergenza AG a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9808, Frame 0696, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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The document was recorded in the Patent and Trademark Office at  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**[NOTE]:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

July 25, 2000  
Date

Jutta Ospelt  
Signature  
Jutta Ospelt  
Typed or printed name  
Managing Director  
Title



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 28, 1999

PTAS

BECK & TYSVER, P.L.L.P.  
STEPHANIE J. SMITH  
1011 FIRST STREET SOUTH  
SUITE 440  
HOPKINS, MN 55343



\*100986765A\*

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RECORDATION DATE: 03/12/1999

REEL/FRAME: 9808/0696  
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KEVIN BUSINESS CORPORATION

DOC DATE: 10/16/1998

ASSIGNEE:

CONVERGENZA AG  
ST. MARKUS - GASSE 16  
FL-9490 VADUZ, FURSTENTUM

LIECHTENSTEIN

SERIAL NUMBER: 08998500  
PATENT NUMBER:

FILING DATE: 12/26/1997  
ISSUE DATE:

SERIAL NUMBER: 08938173  
PATENT NUMBER:

FILING DATE: 09/26/1997  
ISSUE DATE:

SERIAL NUMBER: 08934908  
PATENT NUMBER:

FILING DATE: 09/22/1997  
ISSUE DATE:

9808/0696 PAGE 2

SERIAL NUMBER: 08934941  
PATENT NUMBER:

FILING DATE: 09/22/1997  
ISSUE DATE:

SERIAL NUMBER: 08571490  
PATENT NUMBER: 5824212

FILING DATE: 12/13/1995  
ISSUE DATE: 10/20/1998

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
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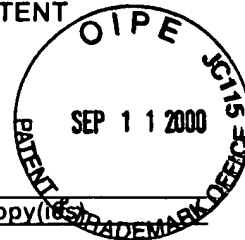
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- ☐ Departmental File ☐ Secret File

## Conveying Party(ies)

- ☐ Mark if additional names of conveying parties attached
- Execution Date  
Month Day Year

Name (line 1) Kevin Business Corporation

10161998

Name (line 2)

## Second Party

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

## Receiving Party

- ☐ Mark if additional names of receiving parties attached

Name (line 1) Convergenza AG

Name (line 2)

Address (line 1) St. Markus - Gasse 16

Address (line 2) FL-9490 Vaduz

Address (line 3) Furstentum

Liechtenstein

Zip Code

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**Patent Application Number(s)**

**Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number

only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

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**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Enclosed ☐

Deposit Account ☒

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

☒

No

☐

**Statement and Signature**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Stephanie J. Smith

Name of Person Signing

Signature

Date

TRANSLATION

Agreement

between

the company Kevin Business Corporation  
Calle 53  
Obarrio, Panama

and

Convergenza AG  
St. Markus-Gasse 16  
FL-9490 Vaduz, Fürstentum Liechtenstein

1. Kevin Business Corporation is the proprietor of the following protective rights:

DE 195 45 404.9	Attorney's file: P 1013 DE
EP 96 118 573.3	P 1013 EPC
US 08/571 490	P 1013 US
US 08/998 500	P 1013 US-CON
DE 197 19 555.5	P 1175 DE
EP 98 103 978.7	P 1175 EPC
US 08/938 173	P 1175 US
JP 10-108 384	P 1175 JP
DE 196 50 406.6	P 1109 DE
EP 97 119 490.7	P 1109 EPC
US 08/934 908	P 1109 US
JP 10-108 386	P 1109 JP
DE 196 50 407.4	P 1129 DE
EP 97 119 489.9	P 1129 EPC
US 08/934 941	P 1129 US
JP 10-108 385	P 1129 JP

and assigns all said protective rights with all rights and duties to Convergenza AG.

2. Convergenza AG herewith accepts the assignment.

3. Kevin Business Corporation and Convergenza AG herewith authorize Patent Attorney Ewald O. Vetter, Burgwalder Str. 4A, D-86199 Augsburg, Germany, to carry out the registration of the assignment of the protective rights in the relevant Patent Offices.

4. The right to claim priority rights is assigned together with the assignment of the protective rights from Kevin Business Corporation to Convergenza AG.

Place:

Place:

Date:

Date:

Kevin Business Corporation

Convergenza AG

---

Georg Vogt

---

A. Brockhoff

see backside

Authenticity of the signature of Mr. Alexander Brockhoff,  
Obergass 73, FL-9494 Schaan is certified.

Vaduz, 16 October 1998

Office of the Court of Justice of the  
Principality of Liechtenstein

Authenticity of the signature of  
Mr. Georg Vogt, academically qualified  
businessman, Alte Churerstrasse 36, FL-9496  
Balzers, is officially confirmed.  
Office of the Court of Justice  
of the Principality of Liechtenstein  
Vaduz, 16 October 1998





Please type a plus sign (+) inside this box → ☐

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9/14/97

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	1267
First Named Inventor	Brockhoff, A
<b>COMPLETE IF KNOWN</b>	
Application Number	08 / 938,173
Filing Date	Sept. 26, 1997
Group Art Unit	1723
Examiner Name	Kim, S.

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Method and Device for Removing Gas from Gas Containing Blood**

the specification of which (Title of the Invention)

☐ is attached hereto  
OR

☐ was filed on (MM/DD/YYYY) **as above** as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
195 45 404.9 DE	Germany	Dec.6 1995	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
Label here

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label ☐ OR ☐ Correspondence address below

Name			
Address			
Address			
City	State	ZIP	
Country	Telephone	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor: ☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
Alexander		Brockhoff	
Inventor's Signature	Date		
Residence: City	Furstentum	State	Country
			Liechtenstein
Post Office Address	Gebhardstorkel 10		
Post Office Address	FL-9494 Furstentum SCHAAN		
City	State	ZIP	Country

☐ Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto



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## DECLARATION

ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page \_\_\_\_ of \_\_\_\_

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Hans				Plechinger			
Inventor's Signature				Date	26/07/00		
Residence: City	Cranbrook	State	B.C.	Country	Canada	Citizenship	German
Post Office Address	Cherry Creek Ranch						
Post Office Address	SS 3 Site 15-130						
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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